


ED 002414B 00000064-00001

PLEASE TAKE NOTICE THAT the United States of America, by the authority of the Attorney General of the United States, acting at the request of the Environmental Protection Agency, is lodging with the Court, pending solicitation and consideration of public comments, a proposed Consent Decree in the above action regarding defendant Drummond Company, Inc. d/b/a ABC Coke and its coke by-product recovery plant in Tarrant, Alabama. The attached proposed Consent Decree is hereby lodged with the Court. Pursuant to 28 C.F.R. § 50.7, Section 113(g) of the Clean Air Act, 42 U.S.C § 7413(g), and to Paragraph 92 of the proposed Consent Decree, the Department of Justice will publish in the Federal Register a notice of the lodging of this proposed Consent Decree. The notice will solicit public comments on the proposed Consent Decree for a period of thirty (30) days from the date of publication in the Federal Register. After the close of the public comment period, the United States will evaluate any comments received and will move for entry of the Consent Decree, unless the comments disclose facts or considerations which indicate that the Consent Decree is inappropriate, improper, or inadequate. Accordingly, the United States requests that the Court take no action with respect to the lodged Consent Decree until the United States, joined by any other parties, moves for the entry or otherwise advises the Court.

Dated: February 8, 2019

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of February 2019, true and correct copies of the foregoing Notice of Lodging of Consent Decree with attached proposed Consent Decree, and a courtesy copy of the Complaint¹ will be served on counsel for all parties by electronic mail at the addresses listed below. All parties have given their consent, consistent with Fed. R. Civ. P. 5(b)(E), to receive service by electronic mail.

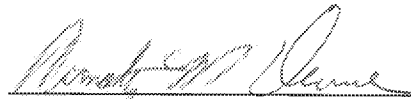
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Respectfully submitted,



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¹ Formal service of summons is waived pursuant to the terms of the proposed Consent Decree. See proposed Consent Decree at ¶ 93.